SPEECH

OF

HON. J. H. THOMAS, OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES, FEBRUARY 9, 1848,

In Committee of the Whole on the state of the Union, on the Bill to authorize a Loan not exceeding eighteen million five hundred thousand dollars.

Mr. THOMAS said:

Mr. CHAIRMAN: I regret that this House has consumed so much time in debating questions, in my judgment, wholly irrelevant to the important subjects before us. When the country is involved in war, and our armies are in a foreign land, wisdom, and a proper sense of our duty, would demand that we should be endeavoring to sustain our Government in providing the means to overthrow our enemies, rather than be spending the public time in denunciations of the Administration for doing that which patriotism and the laws of the country require.

But, sir, if the public time is to be consumed, to the neglect of more important subjects, in decrying the Administration; and not only involving it in all the difficulties that the ingenuity of the Opposition can devise, but also in endeavoring to show that our Government is prosecuting an unjust and an unnecessary war; it is but fair that we, who approve of the course of the President, and believe that our country is in the right upon this war, should have an equal opportunity to defend. Yet, if it is the will of this House at any time to suspend this debate, and proceed to act upon the important measures before us, I will cheerfully yield the floor. But as it is evidently the intention of the members of this House to continue this course of debate, I trust there will be no impropriety in the remarks I am now about to make.

A call has been made upon the President, at this session of Congress, for the instructions given in 1845 to Mr. Slidell, our minister to Mexico. The President has refused to communicate these instructions, alleging, as a reason for his refusal, that it would not be consistent with the public interest to make them public, and citing this House to a precedent, where General Washington, in a much stronger case, refused to answer a similar call. This act of the President has been made the subject of attack, and the President charged with placing himself "upon his royal prerogative" in withholding this information. Gentlemen surely forget the practice of both Houses of Congress upon this subject, and the course adopted even by themselves; for, at this session of Congress, they have introduced and passed resolution after resolution, asking information of the President, "if in his opinion it is not incompatible with the public interest to be communicated." Why is this done now? and why has it always been done, if the President has no discretion, and has not a right to judge? This long practice at least shows that there are matters that it is not proper to make public. If this be so, shall we, who know not, or the President, who does know, what these instructions contain, determine upon the propriety of their publication?

I will call the attention of the House to probably the first time that this question ever was discussed—I mean to a consultation of Washington's Cabinet, in 1792. I read from the 4th volume of Jefferson's Correspondence, p. 364.

"MARCH THE 31st, 1792.—A meeting at the President's. Present: Thomas Jefferson, Alexander Hamilton, Henry Knox, and Edmund Randolph. The subject was the resolution of the House of Representatives of March 27th, to appoint a committee to inquire into the causes of the failure of the late expedition under Major General St. Clair, with the power to call for such persons, papers, and records as may be necessary to assist their inquiries. The committee had written to Knox for the original letters, instructions, &c. The President had called us to consult merely because it was the first example, and he wished that, so far as it should become a precedent, it should be rightly conducted. He neither acknowledged nor desired, nor even doubted the propriety of what the House were doing, for he had not thought upon it, nor was acquainted with subjects of this kind. He could readily conceive there might be papers of so secret a nature as they ought not to be given up. We were not prepared, and wished time to think and inquire.

"APRIL 2d.—Met again at the President's on the same subject. We had all considered and were of one mind—first, that the House was an inquest, and therefore might institute inquiries; secondly, that it might call for papers, generally; thirdly, that the Executive ought to communicate such papers as the public good would permit, and ought to refuse those the disclosure of which would injure the public; consequently, were to exercise a discretion."

Here we have not only the opinion of General Washington, but that of his whole Cabinet, fully sustaining Mr. Polk upon this subject. In 1796, the call was made upon President Washington for information in relation to our treaty with Great Britain; he refused the answer, and sent a message to the House giving his reasons for the refusal. A part of this message is quoted by President Polk as applicable to the case now under consideration; but the other parts of this message are not discussed by him, nor has he therefore given any opinion, the present case not requiring them to be considered.

A part of the reasoning of President Washington in that message was disapproved of by the Republican party of that day, led on by Mr. Giles and Mr. Madison; and Mr. Madison made an able argument in opposition to parts of that message, and expressed the views of those opposed to it. But he made no opposition to that part quoted and relied upon by President Polk in justification of his refusal; but, on the contrary, clearly sustains the position taken by Mr. P.

In the House of Representatives, on the 6th of April, 1796, in his speech upon this subject, Mr. Madison said:

"He thought it clear that the House must have a right in all cases to ask for information which might assist their deliberations on subjects submitted to them by the Constitution; being responsible, nevertheless, for the propriety of the measure. He was as ready to admit that the Executive had a right, under a due responsibility, also to withhold information when of a nature that did not permit a disclosure of it at the time. And if the refusal of the President had been founded firmly on a representation that the state of the bus

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ness within his department and the contents of the papers asked for required it, although he might have regretted the refusal, he should have been little disposed to criticise it."

Again, he says:

"If the Executive conceives, that in relation to his own department, papers could not be safely communicated, he might on that ground refuse them, because he was the competent though responsible judge within his own department."

Here, then, we have the authority of Washington and his Cabinet, consisting of Jefferson, Hamilton, Knox, and Randolph, and the opinion of Mr. Madison, and instances have been cited from Monroe and Jackson; and the universal Whig party fully approved of President Polk's refusal to give information in relation to the "secret service fund" upon the charges against Mr. Webster. Thus, sir, we see, that since 1792, this doctrine has been approved of and acted upon by the greatest men of all parties, Republicans and Federalists, Democrats and Whigs, and by this House—by the very gentlemen who are now condemning it. And I may further add, that nothing to the contrary can be found in any of the elementary writers on the Constitution; that Story, Kent, Rawle, and Sergeant, go even further than is claimed by the President in this case; and the gentlemen have failed to adduce one case in point upon the other side. True, they have attempted to show that President Polk, when a member of this House in 1826, thought and acted differently; but in this they are wholly mistaken, as will clearly appear from a fair statement of that case.

On the 16th of December, 1825, Mr. Hamilton, of South Carolina, introduced a resolution calling upon Mr. Adams for information in relation to this great Panama Congress.—[*See Journal, page* 63.] These resolutions were not acted upon until the 2d of February, 1826, when a motion was made to lay them upon the table. Mr. Polk being opposed to the whole project of the mission, voted for the motion.—*See Journal, p.* 213.

I will now read from the House Journal, 1st session 19th Congress, page 215:

"A motion was made by Mr. Webster to strike out all of the resolution after the word *Resolved*, and insert: 'That 'the President of the United States be requested to cause 'to be laid before this House so much of the correspondence 'between the Government of the United States and the 'new States of America, or their ministers, respecting the 'proposed Congress, or meeting of diplomatic agents at 'Panama, and of such information respecting the general 'character of that expected Congress as may be in his possession, as may, in his opinion, be communicated without 'prejudice to the public interest; and also, to inform this 'House, *so far as, in his opinion, the public interest may* 'allow, in regard to what objects the agents of the United 'States are expected to take part in the deliberations of that Congress.' Which amendment was agreed to."

By the adoption of this amendment, it became the subject of discussion, and that upon which the vote of Mr. Polk was given, to which the gentleman refers. This resolution requested the President to do two things: 1st, to cause "to be laid before this House so much of the correspondence," &c., "as may, in his opinion, be communicated 'without prejudice to the public interest;" 2d, "to 'inform this House, *so far as, in his opinion, the* 'public interest may allow, in regard to what objects 'the agents of the United States are expected to 'take part in the deliberations of that Congress." So that, by this resolution, Mr. Adams was left to his discretion, not only as to what correspondence he should communicate, but also as to whether he should disclose the "objects" he "expected" to be deliberated in that Congress. Mr. Adams had then appointed two ministers to this Congress, and Congress was called upon to vote appropriations by law for their outfit and salaries. I read from the Journal, in continuation:

"A motion was then made by Mr. Ingham, to refer the resolution to a select committee, with instructions to strike out these words, viz: '*so far as, in his opinion, the public interest may allow.*'"

Mr. Ingham believed that the President should use his discretion as to what correspondence, &c., he should communicate; but that he should be peremptorily required to declare the "objects to be deliberated" in the Congress to which he proposed to send ministers. So thought Mr. Polk, and Mr. Polk voted to strike out that part of the resolution which left a discretion to the President "to disclose, or not, in regard to what objects the 'agents of the United States are expected to take 'part in the deliberations of that Congress." In this whole discussion, no effort was made to require the President to communicate any foreign correspondence or instructions to ministers other than, in his discretion, the public interest would permit.

To illustrate this distinction: The object of Mr. Slidell's mission was known to the public; it was to settle the difficulties between Mexico and the United States. His instructions as to how this was to be effected, and what terms he was authorized to settle upon, are not known. The objects of the ministers to the Congress of Panama were not known, their instructions were not known. Mr. Polk desired to require the President to give this House as much information as to the ministers to the Congress at Panama as we now know about the mission of Mr. Slidell, to wit: the objects of their mission. I repeat, no proposition was made, at any time, to require or request Mr. Adams to lay before this House any correspondence or instructions other than that which, in his discretion, he believed "would not prejudice the public interest."

Sir, if Mr. Polk were to propose to-day to send ministers to Spain, or to Havana, this House, before they voted an appropriation to defray the expenses, might well inquire, What are the objects of this mission? And Mr. Polk could and should respond, that it was to settle our difficulties with Mexico, or for any other objects, whatever they might be; but if we were then to inquire, What instructions will you, or have you given these ministers? Mr. Polk should reply, If I make my instructions public, they will become known to Mexico, and may prejudice the public interest, and prevent these ministers from making so favorable a treaty.

Before I leave this subject, I may ask, What possible good could result by a publication of these instructions? I have not the slightest intimation of what they contain; but we know that they were written before the commencement of the war, and at a time when, we may believe, the President was willing to make a treaty more favorable to Mexico than he would now make; and if they were published, Mexico, in future negotiations, may possibly draw arguments from them to aid in securing a better treaty than the President would be disposep to make, after the great injuries our country has sustained. The gentlemen surely do not desire this. Such or other evils may result from a disclosure, for aught I know. Those who know the instructions can best judge. And inasmuch as these instructions were given to Mr. Slidell to guide him in settling our difficulties with Mexico, and he was never received, and the instructions were

never acted upon, they are in no way connected with any questions now before, or like to come before, this Congress. They have had no more effect upon the acts of this Government or that of Mexico, than if they never had been written.

The object of the bill before this committee is, to obtain a loan to prosecute the war; and again the gentlemen think proper to discuss the origin and ultimate objects of this war, and to portray its injustice and unconstitutionality, and the great evils in money that it has cost, and, more than all, the amount of human life that has been expended in its prosecution.

The gentleman who has just concluded, [Mr. FISHER,] comes to the conclusion that it is wrong, all wrong, and that all this vast amount of evil has been incurred in the prosecution of an unjust, unnecessary, and unconstitutional war. If that gentleman is right as to the character of this war, then he was right in maintaining that we ought to recall our troops, and make a treaty with Mexico, at least on as favorable terms as we would have made at the beginning. But if his principle is right thus far, it should have carried him further. If we have gone to war unjustly with Mexico, we owe her reparation. If all we have done in this war has been wanton aggressions upon Mexican rights, certainly it is our duty to make her amends as best we may. Why does the gentleman stop short of the manifest requirements of justice? He discoursed very eloquently about the principles of honor and justice, and sustained himself by the *Good Book* itself; but had he consulted that sacred volume, he might have found that we should "restore fourfold."

The war is either right, or it is wrong. If it is right, we should prosecute it; if wrong, we should not only stop it, but make reparation. The gentleman decides the war to be unjust from its origin; yet the gentleman, or any of those who agree with him, have not even proposed to do what every principle of justice and honor requires—to indemnify Mexico for the injuries she has, as they aver, most unjustly suffered.

We maintain that the war is just and constitutional, and was so in its inception. The Opposition deny this, and would have it believed that all the evils of this war have been brought upon the country by the unnecessary and unconstitutional march of our army to the Rio Grande.

On the 11th of May, 1846, this House had under consideration a bill to provide forces in case of a war with Great Britain, when a message was received informing Congress that a state of war existed upon the Rio Grande. An amendment was proposed to this bill declaring, that by the act of Mexico a state of war existed, and a vote was taken to incorporate this amendment, with authority to raise men and money to prosecute this war, in this bill. This amendment was adopted, and was voted for by a majority of the Whigs from Tennessee; and upon the final passage of this bill, declaring that by the act of Mexico this state of war existed, and placing ten millions of dollars and fifty thousand volunteers, and all the army and navy of the United States at the command of the President, "to prosecute said war to a speedy and successful termination," every member of this House but fourteen, and every member of the Senate but two, voted for it. It would seem that this should have settled the question of the origin of this war, at least as to those who voted for it. But these gentlemen of the Opposition now declare it to be brought on by the act of the President; and that in 1846, when they voted for the declaration, that "by the act of Mexico a state of war existed," they were *compelled* to vote thus, (though they then knew it to be "false,") or to vote against supplies. This excuse of compulsion cannot avail some of them, at least those Whig members from Tennessee, for they not only voted for it upon its final passage, but voted to incorporate this declaration into this bill. But we will allow them the full benefit of their apology, and admit that they voted for this declaration, believing it was "false" at the time; but that they were constrained to vote for it, or vote against supplies; and that however unpleasant it was to vote what they call a "falsehood," yet they would and did do it, rather than refuse to give men and money.

This war still exists; and many of the honorable gentlemen are here whose patriotism and high sense of duty then prompted them to act the unpleasant part of voting supplies, though encumbered with this "falsehood," as they call it; and they are now asked to vote further supplies, without any false declaration attached, and the justice or injustice of the war, at least as to its origin, has not changed, and we find these identical gentlemen opposing the grant of supplies. The Democrats have always voted for supplies, because they believed they should be granted, and that the bill contained the truth. These gentlemen were then so desirous to give supplies, that they did so, notwithstanding the alleged "falsehood;" now they oppose it. Why is this great abatement in their zeal? I leave it to them to explain.

Again: Suppose the preamble was untrue: what was the object of the bill? "To enable the President to prosecute this war to a speedy and successful termination." What war? A war unnecessarily and unconstitutionally brought on by the President. As far as this House then knew, our army was then encamped upon the east bank of the Rio Grande, and the Mexican army upon the other bank. Some detachments of Mexican soldiers had crossed, and slain and captured a few of our troops. But if our army was where we had no right to send them, did a state of things like this call for so great an expenditure? I am a friend and supporter of this Administration; yet I never have, and I trust never will, entertain so much respect, or rather *servility*, to this or any other Administration, as to vote the army and navy, ten millions of dollars, and fifty thousand volunteers, "to enable" it to prosecute an unnecessary and unconstitutional war.

According to these gentlemen, the war is wrong from the beginning—commenced by invading the country of a neighboring Government; and our soldiers were slain where they had no right to be. And yet such was the zeal of these gentlemen, that they voted everything that the President asked for, "to enable the President to prosecute this war to a speedy and successful termination;" and yet these are the gentlemen who speak so eloquently and feelingly of justice.

The friends of the Administration believed then and now that the war had been begun by Mexico, and that therefore men and money ought to be voted, and voted freely, to carry it on. They maintained that our army, when upon the east side of the Rio Grande, was in the limits of the United States, just where it ought to have been; and we hold very consistently now, that this House was bound then and now to carry on this war. But how can gentlemen justify themselves who believe, as they say, directly the reverse? These

gentlemen endeavor to excuse themselves by saying that they voted for the bill "to enable the President to prosecute the war to a speedy and successful termination," merely to relieve General Taylor. This is frivolous; and that it is so will appear from the declarations of the bill, as also from the speech of the Hon. Garrett Davis, a leader of their party, made in this House while this bill to prosecute this war was under discussion. Speaking of General Taylor, he said:

"He is on a frontier three thousand miles distant. In the exercise of a discretionary power vested in him by the Executive, he has made a requisition upon the Governors of the neighboring States for ten thousand troops. At this moment the destiny of General Taylor and his gallant band is sealed; and I doubt not the prompt succor which he has received from the States contiguous to the theatre of his operations has given him such force, he has beaten back the enemy, and that his victorious standard at this moment floats over Matamoros. Whatever it is, his fate is now sealed, and anything we may do will now be too late to influence it."

The facts then known authorized this declaration of Mr. Davis; and when the information was received of the then state of General Taylor's army, it was substantially confirmed. How, then, could gentlemen pretend that they voted under the expectation or hope that relief would reach him, in consequence of that vote, in time to effect his rescue? It was vain to pretend it. Again: if the object was to rescue General Taylor, and the danger which threatened him was induced by his unnecessary and unconstitutional march to this dangerous position, the means adopted for his rescue were not (to say nothing of their justice) the most reasonable or best adapted to that end. If the army had invaded the Mexican territory improperly, and were thereby justly endangered, justice would have ordered it back, instead of aiding them in going further; and this order could have been given to General Taylor long before any succor could reach him—in time for him to have retreated five hundred miles before your new levies could have met him. Should information be now communicated to this House by the President that he had ordered an army across the St. Lawrence into Canada, and that our general and his command were in imminent danger of being cut to pieces, and should ask for millions of money and thousands of troops to go to the rescue, who would vote for it? Who would not instantly ask, why is our army in Canada? What right have they to be there?—and say to the President, You ordered them there, now order them back; this country is not to be involved in all the horrors of war, and drained of its blood and treasure, "to enable" you to carry out your unnecessary and unconstitutional designs: you can bring them back much sooner than you can raise an army for their relief; and this is the only relief consistent with justice. Yet these gentlemen pretend that it was only to relieve General Taylor. A much better justification for this vote may be found in the fact that our country had been invaded, and "by the act of Mexico a state of war existed;" and this I will endeavor to show. It has been said here by the Opposition, time and again, that the right of Texas was a revolutionary right; and so far as the revolution actually extended, just so far, and no further, her right to the territory existed. As they admit this, we will take the question upon this ground.

Every one knows that when a revolution prevails in any country against the existing Government, it is not ordinarily possible to bound the extent of the revolution by precise lines, as a surveyor would run the boundaries of an estate with compass and chain. It is not practicable to tell within a rod just how far it can with truth be said the revolution has gone. The contending parties are best informed upon this subject. If Texas claimed all of the country east of a particular line, and Mexico regarded all the country east of that line as a revolted province, surely this will fix the boundary of the revolution to this line. The history of the war between Mexico and Texas will show that the Rio Grande was recognized by both parties as the line. When the declaration of independence, in 1836, was made by Texas, the boundary was not defined; but subsequent events fixed it. After the battle of San Jacinto had been fought and President Santa Anna captured, a treaty, or something that bore the name, (we will not now stop to investigate its validity,) was entered into; and though it may not be of binding power, still it shows that both parties knew then the limits in dispute. If this treaty had no other effect, it served to let Mexico know what Texas claimed. Santa Anna, in conjunction with Filisola, Urea, Goano, and Sezma, on the 14th of May, 1836, concluded a treaty with the authorities of Texas, defining the boundary as follows:

"Beginning at the mouth of the Rio Grande, thence up the principal stream of said river to its source, thence due north," &c. (See History of Mexico, by Philip Young, M. D., published at Cincinnati, 1847, page 267; Kennedy's History of Texas, edition of 1841, London, vol. 2, p. 235.)

This treaty was made in 1836; and from this time forward, the contest between Mexico and Texas was for the country east of the Rio Grande, and is so recognized by the official acts of both Governments. In 1843, under an armistice between Texas and Mexico, it was mutually agreed that the forces of Texas should not go *west* nor the Mexicans *east* of this river.

On the 20th of June, 1844, the Mexican general, Woll, by order of his Government, issued a proclamation, and says:

"3d. Every individual who may be found at the distance of one league from the left bank of the Rio Grande will be regarded as a favorer and accomplice of *the usurpers of that part of the national territory*, and as a traitor to his country, and, after a summary trial, shall receive the said punishment."

"5th. In consideration of the situations of the towns of Laredo and Sita Rita de Ampudia, as well as of all the farmhouses beyond the Rio Bravo, in which remain all the inhabitants of the line committed to my charge, * * * I warn all those who are beyond the limits here prescribed to bring them within the line, or to abandon them, as those who disobey this order will infallibly suffer the punishment here established."

In February, 1846, at Camargo, on the west bank of the Rio Grande, Canales issued a proclamation, and begins it with these words:

"Antonio Canales, Brigadier General of the Republic of Mexico, Colonel of active militia, and in command of an auxiliary regiment on the *northern frontier*."

He was then west of the Rio Grande. Again, it is abundantly shown that Texas, from 1836, constantly claimed to the Rio Grande. See her act of Congress of December 19, 1836, making that river the line, and other acts establishing the counties of San Patricio and Bexar, bounded west by that river; also, acts of the Texan Congress, establishing post offices upon that river. The proof is abundant of such continued claim by Texas. Contrast this with the claim of Mexico; and I will give this in the words of Mr. JOHNSON, a distinguished Whig Senator, uttered a few days since. He said:

"From the commencement of the revolution, in 1834, to the independence declared by Texas, in 1836—from that period to the admission of Texas into our Union, in 1845, and up to the present hour, no Mexican document can be

found, military or civil—no Mexican officer, military or civil has ever been known—to contend that the territory lying between the Nueces and the Rio Grande belonged to Mexico by any *other* title than that which she maintained to the *whole territory* from the *Sabine to the Rio Grande.*"

From all this, and especially from the treaty, the armistice, and this proclamation of General Woll, it is manifest that Mexico regarded the whole country *east* of the Rio Grande as a revolted province; and this revolted province was the Texas which we annexed to the United States. When Texas acceded to the terms of annexation, she did so with the confident expectation that her rights were to be maintained to the extent of her claim; and Congress was informed of this when Texas was admitted into the Union, and she was admitted with her constitution, declaring her laws heretofore made as being still in force; and these laws defined her boundary, laid off the country into counties to the Rio Grande, and in various ways extended her jurisdiction to that river. To admit Texas under these circumstances into the Union, was the act of the last Congress. What right, then, had the Executive to surrender any portion of this territory? It may be said that, by the resolutions of annexation, "the question of boundary was left open." These are not the words of the resolution—these words are, "subject to the adjustment by this Government of all questions of boundary that may arise with other governments." No such "adjustment" could take place until some question of boundary should arise with some "other government," and then it must be made by the treaty-making power—the President, with the advice and consent of the Senate. These resolutions indicated no line to limit the power of "adjustment," whether it should be the Rio Grande, the Nueces, the Colorado, or any other line. Mexico would raise no question of boundary short of the whole territory. The only duty, then, required of the President was, to defend Texas as bounded by her constitution and laws until such "question of boundary should arise." But such was the desire of the President to avoid a war with Mexico, that he delayed sending the army to the Rio Grande until he could make an effort "to adjust all the questions in dispute between the two governments;" hoping, no doubt, that in doing this, "a question of boundary would arise" that would authorize this "adjustment." Yet Mexico, in her mad desire for war, refused this, and pushed on her armies to the Rio Grande, with preparations and threats of invasion. No other alternative was then left to the President but to repel this invasion; and if he had failed to send the army to the Rio Grande, he would have failed in his duty, and been unworthy of the high station he occupies.

But it is said that there were some Mexican settlements on the east bank of the Rio Grande. If so, what follows? As I have already said, in fixing the great bounds and limits which separate different countries, it was impossible to bend the line hither and thither to meet the little local conveniencies of different neighborhoods. It was not possible to bound the extent of revolutions by lines going in and out, like the limits of a private estate. In our own Revolution there were Tories, who were opposed to it, and Tory settlements where the flag of the new Government was not suffered to float. There were some who refused to fight on either side; others who fought to retain the established Government; but did we, at the peace, surrender these places in the general acknowledgment of our national independence? Had Great Britain the face to ask that reservations should be made wherever a Tory neighborhood existed? Besides, there was no proof that these people settled on the Rio Grande were Mexican Tories to the Texan Government; on the contrary, the proclamation put forth by Canales spoke of them as being notoriously unfriendly to Mexico, and as having said that they never would submit again to Mexican authority. It might be that they were non-combatants, and, on account of the too near vicinity of the Mexican forces, were afraid to come out and take open sides with Texas. I contend, therefore, that in establishing a national boundary line, regard could not be had to these isolated spots: we must fix on great and prominent natural features of the country, without attempting to suit the convenience of each particular neighborhood or individual. But did these people have any aversion to our Government? If so, it was not general; for General Taylor says, "I have every reason to believe that the people 'residing on the river are well disposed to our 'Government."

The course of the Administration in connection with this subject, in the view of these gentlemen, is wrong, and only wrong, and that continually—nothing praiseworthy is to be found. But when they come to speak of another individual, one who had no little to do in advising and making this march to the Rio Grande, their lips can utter nothing but praise. I have taken the pains to collect some statements from the correspondence of the General in command, General Taylor, (who, it will be admitted, is not a *very enthusiastic admirer* of this Administration, and who was certainly well informed about the facts of which he writes,) and which are entitled to consideration in this investigation. On the 14th of September, 1845, he writes to the Secretary of War:

"In view of the large reinforcements of regular troops ordered to join me, I cannot believe that it will become necessary, *under any circumstances, to employ volunteers from the United States.*"

One of the great duties of General Taylor was, to inform the President of the true situation of affairs in that quarter; and he surely did not anticipate a war of much magnitude when this was written. On the 4th of October, 1845, he says:

"All the information which I could obtain before leaving New Orleans seemed to point to Corpus Christi as the most suitable point *for concentration;*" and although, before the President's instructions of July 30 reached me, I would have preferred a position on the left bank of the river, [the Rio Grande,] yet a careful examination of the country has convinced me that none could be found combining so many advantages as this."

After saying that, our forces being now assembled, he says:

"However salutary may be the effect produced upon the border people by our presence here, [at Corpus Christi,] *we are too far from the frontier to impress the Government of Mexico with our readiness to vindicate by force of arms, if necessary, our title to the country to the Rio Grande.* * * * Mexico having as yet made no positive declaration of war, I do not feel at liberty, under my present instructions, to make a forward movement to the Rio Grande, without authority from the War Department. * * * * I have deemed it *my duty* to make the above suggestions. * * * It is proper to add, that should any auxiliary force be required, I propose to draw it wholly from Texas. I do not conceive that it will become *necessary, under any circumstances,* to call for volunteers from the United States."

General Taylor, then, "*deemed*" it his duty to make the suggestion that he was "too far from the frontier" at Corpus Christi to vindicate *our title* to the Rio Grande; and, in view of this movement

* The *italics* throughout this correspondence are the speaker's.

to the Rio Grande, to declare that he did "not conceive that it would become necessary, under any circumstances, to call for volunteers from the United States." And I insist this shows that he advised this movement, and that he did not believe that war would be the consequence. The President, after the receipt of this despatch from General Taylor, delayed ordering him to march to the Rio Grande until he could make an effort to settle our difficulties with Mexico. Upon the 7th of November, 1845, General Taylor, hearing of the efforts at negotiation, says:

"The intelligence from Mexico, however, tends to *modify in some degree* the views expressed in that communication, [his letter of the 4th of October.] The position now occupied by the troops *may, perhaps*, be the best *while negotiations are pending*, or at any rate until a disposition shall be manifested by Mexico to protract them unreasonably."

This shows conclusively, that before negotiations he advised the march; but upon hearing of negotiations, he "modified" his views so as to remain where he was "while negotiations were pending." But when Mexico wholly refused to negotiate, then General Taylor's modification was removed, and his advice stood as before. This refusal of Mexico was made, and information thereof was received upon the 12th of January, 1846; and upon the next day, the order, which the gentlemen call "the fatal order," was issued. This order, which the gentlemen say has produced such dreadful consequences, is not very warlike in its tone. The Secretary of War says, in that order, to General Taylor:

"I am instructed by the President to instruct you to advance and occupy, with the troops under your command, positions on or near the east bank of the Rio del Norte, as soon as it can be conveniently done with reference to the season and the routes by which your movements must be made. From the views *heretofore presented to this department*, it is presumed Point Isabel will be considered by you an eligible position. This point, or some one near it, and points opposite Matamoros and Mier and in the vicinity of Laredo, are suggested for your consideration; *but you are left to your better knowledge to determine the post or posts you are to occupy.*"

"In the positions you may take in carrying out these instructions, and other movements that may be made, the use of the Rio del Norte may be very convenient, if not necessary. Should you attempt to exercise the right which the United States have in common with Mexico to the free navigation of this river, it is probable that Mexico would interpose resistance. *You will not attempt to enforce this right without further instructions.* It is not designed, in our present relations with Mexico, that you should treat her as an enemy."

In reply to this order, General Taylor, on the 4th of February, 1846, says:

"As to what means, if any, will be required to enforce and maintain *our common right* to navigate the Rio Grande, I would respectfully state, *that until I reach the river* and ascertain the condition of things in the frontier States of Mexico, temper of the people, &c., I cannot give any satisfactory answer to the question. *I have every reason to believe that the people residing on the river are well disposed towards our Government.*" "Our advance to the Rio Grande will itself produce a powerful effect; and it may be that the common navigation of the river will not be disputed. I shall not call for any militia force in addition to what I already have, unless unforeseen circumstances shall render its employment necessary."

The President was necessarily compelled to rely greatly, if not entirely, upon such information as he should receive from General Taylor; and ten days after the receipt of the order to march, on the 16th of February, General Taylor writes, that—

"From the best information I am able to obtain, and which I deem as authentic as any, I do not believe that our advance to the banks of the Rio Grande will be resisted. The army, however, will go fully prepared for a state of hostilities *should they unfortunately be provoked by the Mexicans.*"

From this, it is apparent that, in the opinion of General Taylor, hostilities were not to result from this advance, unless they were "unfortunately provoked by the Mexicans."

On the 6th of April, 1846, General Taylor writes:

"*Headquarters, Army of Occupation, Camp on the left bank of the Rio Grande, opposite Matamoros*, TEXAS. * * The position of our camp is naturally strong, and without the aid of artificial defences, I feel quite secure against any *offensive* movements of the enemy."

April 15, he says:

"Notwithstanding the alternative of war, presented by General Ampudia, no hostile movement has yet been made by his force. Whether he will feel strong enough to attempt anything, when all his force shall have arrived, is very doubtful."

It will be remembered that in the "fatal order," as gentleman call it, speaking of our common right to the navigation of the Rio Grande, General Taylor is instructed not to "*attempt to enforce this right without further instructions.*" No further instructions upon this subject were given; and on the 23d of April, General Taylor writes:

"In my last despatch, I advised you that on receipt of General Ampudia's summons to fall back from my position, I ordered a blockade of the mouth of the Rio Grande, deeming this a measure *perfectly proper under the circumstances.* * * * I trust that my course in this matter will meet the approval of the department. It will at any rate *compel* the Mexicans *either to withdraw their army from Matamoros, where it cannot be subsisted, or to assume the offensive on this side of the river.*"

No terms of denunciation are too harsh for the gentlemen against the President, for the alleged unnecessary and unconstitutional order to march to the Rio Grande; but General Taylor, "without further instructions," after he had gone *to* the Rio Grande, goes further, takes possession not only of a common right to navigate it, but occupies the whole river, and excludes the Mexicans from it, so as to force them "either to withdraw their army from Matamoros," or to assume the offensive on this side of the river. Yet General Taylor, in every act, meets their entire approbation. Where is the gentlemen's Constitution now? This is another piece of consistency worthy of the gentlemen who will vote supplies, though they must declare a "falsehood" to do it, and again refuse them when obstructed by no "falsehood."

This question, Who commenced this war? has been much discussed. If it was commenced by the United States, General Taylor conducted the offensive operations. What does he say upon this subject? In his letter to Ampudia, of the 22d of April, he says:

"After all that has passed since the American army first approached the Rio Grande, I am certainly surprised that you should complain of a measure [the blockade of the river] which is no other than a natural result of the state of war, so much insisted upon by the Mexican authorities as actually existing at this time. You will excuse me for recalling a few circumstances to show *that this state of war has not been sought by the American army, but has been forced upon it*, and this exercise of the rights incident to such a state cannot be made a subject of complaint. * * * * I carefully abstained from any act of hostility, determined that the *onus* of producing an actual state of hostilities should not rest on me. * * * * If this measure seem oppressive, I wish it borne in mind *that it has been forced upon me by the course you have seen fit to adopt.*"

Compare these statements of General Taylor with the much-abused preamble to the act of May, 1846, that "whereas, by the act of Mexico, a state of war exists," which the gentlemen characterize as a "falsehood;" yet he, directing every movement, declares that "this state of war has not 'been sought by the American army, but has been 'forced upon it;" and, to Ampudia, "it has been 'forced upon me by the course you have seen fit 'to adopt." How different is this language from that of the gentlemen who declared, a few days

since, that "this war was brought on by the un-'necessary and unconstitutional march to the Rio 'Grande"—gentlemen who claim to be the peculiar defenders of General Taylor! More consistency! On the 26th of April, 1846, General Taylor says, "hostilities may now be considered as commenced." And, after enumerating the troops he had called for, he says: "This will constitute an 'auxiliary force of nearly five thousand men, 'which will be required to prosecute *the war* with 'energy, and carry it, as it should be, *into the* '*enemy's country*. I trust the department will 'approve my course in *this* matter." General Taylor was then upon the bank of the Rio Grande. Will the gentlemen say that the President violated the Constitution in sending the army that far into the country of a peaceable neighbor; but that General Taylor, at the head of it, was not in the enemy's country, and was right in saying that the war ought to be taken across the river, and carried, "as it should be, into the enemy's country?"—the war that gentlemen denounce as unnecessary and unjust? General Taylor should desire to be saved from such friends—friends, too, who in praising him, claim a monopoly.

The Mexican minister spoke of the war as "a struggle which it (Mexico) *has not provoked*, and which it has made every effort to avoid." On the 18th of May, 1846, after General Taylor had crossed the Rio Grande, and taken possession of the city of Matamoros, and writing from thence, after saying that upon the evening before he had taken possession of that city, and that he had been asked for an armistice, he adds:

"I replied to this, that an armistice was out of the question; that a month since I had proposed one to General Ampudia, which was declined; that circumstances were now changed; that I was receiving large reinforcements, and could not now suspend operations which I had *not initiated or provoked*."

The Mexican minister said, Mexico "has not provoked" the war, but "made every effort to avoid it." General Taylor goes further, and says he "neither *initiated* nor provoked." Here is an issue formed: and we have not at this place quoted the Administration upon either side; else it would be easily determined that these gentlemen would take the other side. Yet when their favorite, General Taylor, is contradicted by a *Mexican*, their partialities would be expected to favor the American. Now, which is right? They both cannot be. The gentlemen on the other side decided by a solemn vote that the war was brought on by the unnecessary and unconstitutional march to the Rio Grande—and this, the movement that was recommended, commanded, and led, by General Taylor. How would this gallant old General hang his head to hear American legislators professing such devoted admiration of him, and declaring that an act which he has advised and executed was unnecessary and a violation of the Constitution of his country! Here we have the President and the last Congress, all but sixteen, and General Taylor, upon the one side—the Mexican minister and the clamorous friends of General Taylor in this House upon the other; and many of the latter, at the last Congress, admitted that General Taylor was in the right as to the commencement of this war "by the act of Mexico." If not, then they are chargeable with all the consequences of the war. If not, they have voted men and money to inflict these terrible evils both on Mexico and their own country. If it was unnecessary for the President to march the army a hundred miles into what they call Mexican territory, it was surely unnecessary for these gentlemen to vote supplies to send the army a thousand miles further. However reprehensible they may represent the President to be, they have gone further than he. He ordered the army to the Rio Grande: they have sent it to the city of Mexico. All the innumerable miseries that have been endured, and the thousand scenes of wo which have since been presented, are chargeable to them. How many heretofore quiet and happy homes have been rendered desolate and wretched by their prosecution of this "unnecessary" war! And how often have the widow's wail and orphan's cry gone up to Heaven, witnessing against those who *knowingly* supplied the means for carrying on this alleged unjust and unnecessary war! Yes, these gentlemen, by their own showing, have done it. They voted the supply bill. But why? They say the war is unjust—a war of invasion—a war of conquest; and still they voted to carry it on!

Those upon this side have but acted as did our fathers in the days of the Revolution, when they believed their rights to be invaded. They thought the war right and just, provoked by Mexico, and not to be avoided by us without dishonor. They are, therefore, chargeable with no inconsistency. But how could the gentlemen, who said it was "false" that Mexico began the war, and yet voted for a bill that was right only upon the truth of that assumption, escape the responsibility of all the woes that followed in its train? For myself, I would rather have believed the "falsehood," (if falsehood it be, which I do not admit,) than voted for the bill, disbelieving it. I do not impeach the gentlemen's motives, nor wish at any time to say anything violating personal respect or the proprieties of this House; but to me, this way of denouncing the war as unjust and unnecessary is a singular mode of discomfiting our enemies, or of encouraging the hearts and strengthening the hands of our soldiers. Among the many Whigs in my district, it is not usual to hear this war publicly denounced as unjust; on the contrary, its justice is not generally questioned; and many of them, in common with Democrats, have periled their lives upon the battle-field, and others have shed their blood in support of it. These soldiers left their safe and quiet homes for the dangers of the battle, encouraged with the belief that they were going to sustain the rights and honor of their country. And most gallantly have they done it. Those who returned, many of whom came wounded, scarred, and maimed for life, cheered with the expectation of receiving the grateful plaudits of their countrymen, are welcomed by a majority of this House with the withering declaration, that the war they have so nobly waged is a wicked war, unnecessarily and unconstitutionally brought on by the President, and that, instead of avenging their country's wrongs, they have been robbing and murdering an innocent people! Gentlemen may take pleasure in this; but for me, I should exceedingly regret to render *such service* to my country.

The ratification of the Tyler treaty was opposed, among other reasons, because it annexed Texas by name, without specifying any boundary. The opponents of this treaty alleged that this would annex the country to the Rio Grande. The resolution by which Texas was annexed in 1845, fixed no boundary; but both under the treaty and under the resolutions of annexation, our Government had the power to adjust any question of boundary that might arise with any other Government,

whether it was expressed in either or not. Yet those gentlemen who opposed the treaty in 1844, because it annexed Texas by name, defining no boundary, and would therefore annex the country to the Rio Grande now, when Texas is actually annexed by name, in 1845, and no boundary fixed by the resolutions of annexation, declare that this annexation does not extend to the Rio Grande, but only to the valley of the Nueces; and that the President has violated the Constitution, by marching the troops to protect that country. They said the treaty would take you to the Rio Grande. The resolutions, in substance, upon this point are the same. The treaty was rejected, and the resolutions adopted before President Polk came into office; and it became his duty to protect the country annexed, under the resolutions. He selected a general who has the confidence of his (the President's) opponents, and sent him to conduct the military operations in that country, with very enlarged discretion. His opponents, the year before, had determined that annexing Texas by name, without describing a boundary, annexed the country to the Rio Grande. Texas had been so annexed. He ordered his general to protect the country to that river; and informed Congress, at its meeting in December, 1845, of this fact; and, finally, when all hope of an amicable adjustment with Mexico failed, and the Mexican army was assembling upon the Rio Grande, with threats of invasion, he determined to follow the advice of General Taylor, and the decision of these gentlemen upon the treaty, and ordered the march to the Rio Grande. The gentlemen say, the President has violated the Constitution, and deserves to be impeached, and hurled from his office. Is this for following their decision? or is it for following the advice of General Taylor? They say that, of all the world, General Taylor deserves to be made President. He gave the advices; President Polk gave the order as advised, and they say that, for doing so, he should be removed from office. This is more of the *beauties* of their *consistency!* Can love of country prompt to such a course? Is it principle? or is it *opposition* to the President? Truth is ever consistent with itself, and that which is not so is not truth. How easy it would be for these gentlemen to reconcile all their inconsistencies by going back to their solemn declaration in 1846, "that, by the act of Mexico, a state of war existed." Truth demands this declaration—justice to our country alike demands it. If the gentlemen would but impartially hear the proclamations of Mexico for what the war was waged, they might believe their own declaration in 1846. Upon the 16th of July, 1845, before General Taylor had entered Texas with the army, much less gone to the Rio Grande, the Mexican Government issued an order, that—

"It being necessary that the troops of the line should cover the frontiers of the republic, *and march towards Texas to conquer that department, now usurped by the United States*, his Excellency the President *ad interim* has commanded me to transmit you this note, to excite the zeal and patriotism of the Governors, that they place under arms, in their respective districts, all the force which can be collected in defence of the law, to be ready to serve as a safeguard of the respective departments, according to the decree of the 4th of June of this year, and the regulation of the 7th instant.

"Your Excellency will communicate to the Governors this supreme resolution, and will inform them of the obligations under which the citizens are to contribute to the defence of their country, and to sustain rights violated by a nation which refuses to acknowledge them, and obliges Mexico to maintain them by force, which it most undoubtedly will, or fall in the struggle. *She will not consent to give up one half of her territory, from the base fear of losing the other.*"

This shows what Mexico intended to do. In November, 1845, Herrera, the President of Mexico, agreed to receive an envoy to adjust our difficulties. For this, Mexico was so averse to peace, that this President, the choice of that nation, was overthrown, and Paredes placed in power; and this before any march to the Rio Grande. Hear what this same Herrera says was the cause of his being displaced. On the 29th of August, 1847, he says:

"For no other act than showing that there would be no obstacle to his [Mr. Slidell's] presenting himself, and having his propositions heard, my administration was calumniated in the most atrocious manner; for this act *alone*, the revolution which displaced me from command was set on foot."

Cannot the gentlemen see in this, reason for charging the commencement of this war elsewhere than upon their own country? Does all this not only justify, but require them to vote for this bill, and for any other supplies that may be necessary, to prosecute this war to a speedy and successful termination, until we obtain "indemnity for the past and security for the future?"

Some profess to be alarmed at the extent of our conquests. Alarmed at our own success against the enemies of our country! They should remember that this war is waged for our rights, and not for conquest; and that it is not proposed to hold one foot of Mexican territory, simply because we have power to do so; but that when Mexico is conquered, and is willing to do us justice, we will retain so much of that country as will be a fair and honest indemnity for the injuries we have sustained. Others fear that it may result in the extension of slave territory. Should it result in this, it will not increase the number of individuals held in slavery; but it may disperse them over a larger extent of territory, and in the hands of more masters, and thereby, as is usual, secure them more humane treatment, more moral and religious instruction, and render them more virtuous, happy and contented. I trust this is not alarming to the philanthropy of the gentlemen. Others are alarmed for the country, lest it should be overwhelmed, as Rome and other ancient governments were, by the effects of its own victories. But these should remember, that the conquerors of antiquity plundered the conquered nations, not only of all their wealth, but collected an annual tribute, which enriched the victors with continued wealth. This introduced vice and all the enervating evils that follow in its train; and thereby these conquering nations were finally destroyed. There is no parallel for this in our victories against Mexico. Instead of making slaves of them, we desire their freedom. We propose to bring no wealth from that country to ours, to enrich or corrupt the people; but, on the contrary, any country we may obtain, we propose to settle with peaceful, happy citizens, who will go there with our free and liberal institutions, and by the practice of the duties of good citizens, secure happiness to themselves, and prosperity to the whole country. This war is just; its ends are for the country's good. Our country is right; the President has discharged his duty nobly; and we should pass this bill, modified so as to secure its objects, and pass all other bills necessary to enable the President to prosecute the war to a speedy and successful termination.